

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

Industrial Container Services – MI, LLC  
4336 Hansen Avenue SW  
Grand Rapids, Michigan 49548

**ATTENTION:**

Dan Balfer  
Plant Manager

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring Industrial Container Services – MI, LLC (ICS or you) to submit certain information about the facility at 4336 Hansen Avenue SW, Grand Rapids, Michigan. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 45 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, Region 5.

ICS owns and operates an emission source at the Grand Rapids, Michigan facility. We are requesting this information to determine whether your emission source is complying with the Michigan State Implementation Plan requirements.

ICS must send all required information to:

Attn: Compliance Tracker, ECA-18J  
Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

ICS must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to *Section 113(c)(2) of the Clean Air Act and* 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject ICS to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Alexandra (Sasha) Letuchy or Manoj P. Patel at (312) 886-6035 or (312) 353-3565, respectively, or by e-mail at [letuchy.alexandra@epa.gov](mailto:letuchy.alexandra@epa.gov) or [patel.manojkumar@epa.gov](mailto:patel.manojkumar@epa.gov), respectively.

11/15/2019  
Date

Michael D. Harris  
Michael D. Harris  
Division Director  
Enforcement and Compliance Assurance  
Division

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## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or in the Michigan State Implementation Plan regulations.

1. Cleanup and Purge Operations shall mean the Cleanup and Purge Operations identified in the Supplement to Permit No. 430-83A.
2. Drum Furnace Emission Unit shall mean the Drum Furnace and Thermal Oxidizer (TO), as defined by Permit No. 814-91B.
3. Exterior Barrel Coating Line Emission Unit shall mean the Exterior Barrel Coating Line, including the Coating Oven and Spray Booth, identified in the Supplement to Permit No. 430-83A.
4. Interior Barrel Coating Line Emission Unit shall mean the Interior Barrel Coating Line, including the Coating Oven and Spray Booth, identified in the Supplement to Permit No. 430-83A.
5. Shot Blaster Emission Unit shall mean the units that use an abrasive to remove impurities from the surfaces of the drums.

## **Appendix B**

### **Information You Are Required to Submit to EPA**

Industrial Container Services – MI, LLC (ICS) must submit the following information requested for its operations (facility) located at 4336 Hansen Avenue SW, Grand Rapids, Michigan, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414. Provide the information below within forty-five (45) calendar days from receipt of this letter. These requests cover the time period from January 1, 2015 to the date you receive this request, unless otherwise noted in the request:

1. Provide a current schematic diagram of the facility, depicting the overall process.
2. Submit a current detailed narrative description of the processes employed at the facility to refurbish or recycle steel drums and describe each piece of process equipment.
3. For the drum refurbishing and recycling operation(s) at the facility, provide the process equipment installation date and a date and detailed narrative description of any modification(s) to the process equipment.
4. Provide the number of steel drums received on a yearly basis from each open head and/or tight head process, in Microsoft Excel or other compatible format.
5. Provide the number of steel drums that are refurbished/reconditioned at the facility on a yearly basis, in Microsoft Excel or other compatible format.
6. Provide the number of steel drums repaired (if any) at the facility on a yearly basis, in Microsoft Excel or other compatible format.
7. Provide copies of all air quality permits issued to the facility by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), formerly known as the Michigan Department of Environmental Quality, that are not publicly available, including, but not limited to, Division of Air Pollution Control Title V Permits (Title V Permits), Permits to Install or Construction Permits, and Permits to Operate.
8. Provide a list of all air quality enforcement actions related to the facility taken by any state or local regulatory agency. Include copies of any air quality related administrative or judicial complaints; any notices of violation or notices of noncompliance; any documents resolving violations, such as consent decrees or consent orders; and any orders such as administrative orders.
9. To the extent not provided in response to a request above, provide copies of any correspondence from the state, local, or federal permitting authority regarding the installation or modification of any emission unit or the emission limits for any emission unit at the facility, including, but not limited to, applicability determinations, regulatory interpretations, and approval orders.

10. Provide a detailed description of the amount of volatile organic compounds (VOCs), hazardous air pollutants (HAPs), and particulate matter emitted by the facility, in pounds per hour and tons per year. Submit your response with supporting information including but not limited to air emissions calculations and annual emissions reports.
11. For each emission unit at the facility, provide the average hourly rate of drums processed and the maximum hourly rate of drums processed monthly.
12. Provide a copy of all emission control system (e.g. TO) studies, reports, or analyses discussing emission rates of any pollutant at the facility.
13. Provide the dimensions of the combustion chamber of the facility's drum reconditioning furnace.
14. Provide a copy of the operating manual(s) for the Drum Furnace Emission Unit and its monitoring systems (i.e. opacity and temperature).
15. Provide all documents related to all studies, inspections, or evaluations associated with the Drum Furnace Emission Unit that have been conducted or attempted at the facility, including but not limited to:
  - a. System improvements implemented based on findings of any study, inspection, or evaluation;
  - b. Modeling emissions of air pollutants to the atmosphere; and
  - c. Capture and collection of pollutants emitted by the facility.
16. Provide continuous opacity monitoring system(s) (COMS) records, in Microsoft Excel or compatible format, and records showing the calibration, maintenance, and repair of the COMS at the Drum Furnace Emission Unit. If you record opacity in a strip chart recorder then you must submit all recording data printouts and convert the opacity data into six-minute averages in Microsoft Excel or compatible format for the operating time on a daily basis. Also, submit a narrative description of how the strip chart opacity records were converted into six-minute averages in Microsoft Excel or compatible format.
17. Provide all records of repairs, maintenance, monthly inspections, and modifications of the Drum Furnace Emission Unit. For all repairs, identify the reason for the repairs, whether the repairs were temporary or permanent and when the repair was initiated and finished. For all modifications, provide a statement that explains the reason the modification occurred. For all parts and components of the Drum Furnace Emission Unit currently in need of repair or maintenance, identify the part or component, the date it was determined to need repair or maintenance, and the schedule for completion of the repair or maintenance.



18. Provide the following information, which you are required to maintain under the recordkeeping requirements found in your Permit to Install # 814-91B, for each shipment of drum/containers received and processed in the Drum Furnace Emission Unit:
  - a. Origin (i.e., company name) of each drum processed through the furnace;
  - b. The number of drums from each originating company; and
  - c. Documentation for each shipment of drums/containers received for processing showing that they did not contain acute hazardous waste as listed in 40 C.F.R. § 261.33(e).
19. Provide a spreadsheet, in Microsoft Excel or compatible format, with the following continuous records for the Drum Furnace Emission Unit for each operating day:
  - a. A list of emission units and/or equipment whose air emissions are ducted to the TO;
  - b. Operating records showing the operating hours of the TO;
  - c. Operating records showing the operating hours for the Drum Furnace;
  - d. Drum Furnace minimum and maximum set point temperature;
  - e. TO minimum and maximum set point temperature;
  - f. All 3-hour average TO operating temperatures; and
  - g. All 3-hour periods of time during which the average TO operating temperature is below 1600 °F.
20. Provide the following monthly records, which you are required to maintain under the recordkeeping requirements found in your Supplement to Permit to Install #430-83A, for each operating day for the Interior Barrel Coating Line Emission Unit and the Exterior Barrel Coating Line Emission Unit:
  - a. Hours of operation of the coating line;
  - b. For each coating used:
    1. The amount in gallons used (with water);
    2. The VOC content in pounds per gallon (minus water and with water) as applied;
  - c. VOC emissions calculations determining the total mass emissions from the coating line in tons per month and a 12-month rolling time period mass emission at the end of each calendar month in tons per year; and
  - d. For the Interior Barrel Coating Line Emission Unit only, average VOC emissions calculations determining the pounds per gallon of coating (minus water) as applied for each calendar day. Include any Material Safety Data Sheets (MSDSs), literature, manuals, mass balance calculations or other information relied upon for determining this VOC content.
21. Provide the following records for the Spray Coating Booths associated with the Interior Barrel Coating Line Emission Unit and with the Exterior Barrel Coating Line Emission Unit:

- a. Records of periodic inspections of the paint booth filters and coating applicators;
  - b. Records of maintenance and repairs of any defects on the paint booth filters and coating applicators;
  - c. Records of changeouts of the paint booth filters;
  - d. Manufacturer specifications of paint booth filters; and
  - e. Manufacturer specifications of coating applicators.
22. Provide the following records for the Shot Blaster Emission Units:
- a. Records of periodic inspections of the Shot Blaster Emission Units;
  - b. Records of maintenance and repairs of any defects of the Shot Blaster Emission Units;
  - c. Potential to emit emissions estimates;
  - d. Dates of installation;
  - e. To the extent not provided in response to a request above, provide copies of any correspondence from the state, local, or federal permitting authority regarding the installation or modification of the Shot Blaster Emission Units;
  - f. Fabric filter manufacturer manuals;
  - g. Size of fabric filters in actual cubic feet per minute; and
  - h. Records of pressure drop.
23. Provide the following monthly records, which you are required to maintain under the recordkeeping requirements found in your Supplement to Permit to Install #430-83A, for the Cleanup and Purge Operations:
- a. Hours of operation of the Cleanup and Purge Operations
  - b. For each solvent used:
    - 1. Its VOC content in pounds per gallon;
    - 2. The amount in gallons used;
    - 3. The amount in gallons reclaimed; and
  - c. VOC emissions calculations determining the total mass emissions from the Cleanup and Purge Operations in tons per month and a 12-month rolling time period mass emission at the end of each calendar month in tons per year.
24. Provide a list and copy of the following stack tests: the most recent stack test for each emission unit at the facility, and any stack test conducted on any emission unit for any reason at the facility from November 1, 2009 to the date you receive this request. Include all test runs, even if a full test series was not completed. In the response, clearly identify the emission unit, specify the date of the test, and test method(s) used. Emissions testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Indicate whether the report was shared with the local and/or state permitting agency. Provide a copy of the entire report, including all calculations relative to the stack test, and the section describing the process parameters and production or processing rates at the time of the test. Also, provide copies of any reports of visible emission observations conducted during each test. For each test, provide the maximum design production or processing rate for the tested emission unit. If the source was not

operating at maximum design capacity, provide an explanation why production was limited.

## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

### **Determining Whether the Information Is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

#### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by

Certified Mail, Return Receipt Requested, to:

Dan Baffler, Plant Manager  
Industrial Container Services – MI, LLC  
4336 Hansen Avenue SW  
Grand Rapids, Michigan 49548

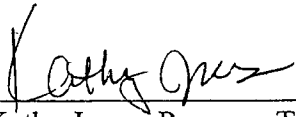
I also certify that I sent a copy of the Request to Provide Information Pursuant to the

Clean Air Act by E-mail to:

Jenine Camilleri  
Enforcement Unit Supervisor  
Air Quality Division  
Michigan Department of Environment Great Lakes and Energy (EGLE)  
CamilleriJ@michigan.gov

Heidi Hollenbach, District Supervisor  
Air Quality Division  
Michigan Department of Environment Great Lakes and Energy (EGLE)  
Hollenbachh@michigan.gov

On the 19<sup>th</sup> day of November 2019.

  
\_\_\_\_\_  
Kathy Jones, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7019 0140 0000 0722 3178